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UNCLAS SECTION 01 OF 02 KINSHASA 000325

SENSITIVE

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SUBJECT: UPDATE ON GDRC-CNDP PEACE AGREEMENT

REFS: A) KINSHASA 322; B) KINSHASA 319; C) KINSHASA
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¶11. (SBU) Summary: Sources have informed us that, as a follow-up to the GDRC-CNDP Agreement, a cabinet reshuffle, at the national level, could bring in a CNDP minister and another to represent the other armed groups. However, the issue of a "total" amnesty that would prevent any arrest in the DRC of figures such as Bosco Ntaganda and Nkunda, but also of less prominent individuals such as General Makenga, who is alleged to be responsible for the Kiwanja massacre, continues to pose problems for follow-up work. Nevertheless, our source close to the GDRC negotiating team believes the GDRC has taken steps that demonstrate good faith on the amnesty issue. End Summary.

New Ministers and Monitoring Committees

¶12. (SBU) Sources have informed us that, as a follow-up to the GDRC-CNDP Agreement (ref C), a national cabinet reshuffle could reportedly bring in a CNDP Minister and another to represent the other armed groups. This will in turn be followed by the appointment of two three-person Monitoring Committees, one each for North and South Kivu. The roles and responsibilities of both the international monitoring committee (to be appointed by the Obasanjo Mediation and likely to include General Sumbeiywo) and its national counterparts are at present unclear.

¶13. (SBU) Father Apollinaire Malu Malu, head of the Amani peace process, told us that he believes that there will be a perfunctory follow-up mission by the Mediation, that a final report will be issued by the prescribed three-month deadline, and that the Mediation's role, along with that of the national committees, will end there. However, another source close to the GDRC negotiating team is not so sure: implementing all aspects of the agreement may take some time and the Monitoring Committees may become involved with implementation of some of the reconciliation issues, particularly with regard to the preparations for refugee return. The committees will likely be placed under the supervision of Minister Tshibanda, who can be expected to play an active role in ensuring implementation of the agreements.

Amnesty Wrangles

¶14. (SBU) The issue of a "total" amnesty that would prevent any arrest in DRC of figures such as Bosco Ntaganda and Nkunda, but also of less prominent individuals such as General Makenga, who is alleged to be responsible for the Kiwanja massacre, continues to pose problems for follow-up work. Nevertheless, our source close to the GDRC negotiating team believes the GDRC has taken steps that demonstrate good faith on the amnesty issue. He said he was pleased that the Senate has already taken up the amnesty bill as its first order of business since reconvening (Note: Ref B reported on contentious issues surrounding the Amnesty Law. Following long

debate on the law on April 2, the Senate did not vote on the National Assembly's draft. End note). The CNDP's concerns that the current draft is too "restrictive in nature" will be transmitted to the Senate for its consideration during the debate.

¶5. (SBU) In an additional step, he told us that a prominent CNDP supporter who had been imprisoned in Kinshasa, a Professor Kalindzi (as heard), was released and brought to Goma in time to join the CNDP delegation for the signing ceremony.

¶6. (SBU) Comment: Such rapid movement on an issue as highly sensitive as bringing a CNDP minister into the national cabinet strikes us as somewhat unrealistic, although the rapid pace of events over the last several months has admittedly left many observers surprised. Nevertheless, even if political implementation of the agreement is proceeding apace, the integration of former CNDP fighters into the FARDC is continuing in problematic ways and the GDRC's new alliances may themselves be sowing the seeds of future conflict with other communities in North Kivu (ref A).

¶7. (SBU) Comment Continued: The "new CNDP," i.e., not the Nkunda loyalists, has now achieved (albeit in unpredictable ways) much of what the "old CNDP" had been demanding throughout 2008: accelerated integration into the FARDC without leaving North Kivu and with little or no requirement for retraining; an immediate role in the campaign against the FDLR; full transferability of rank; the bulk of the FARDC commands in North Kivu; extension of its military influence into areas it had never before been able to penetrate (Walikale, Lubero); the promise of consideration for its political agenda; and assurances of representation at every level of government. Every one of these items had, if only by implication,

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been on Nkunda's list of seemingly wild demands a year ago.

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